

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed January 9, 2007. At the time of the Office Action, Claims 6-20 were pending in this Application. Claims 6-20 stand rejected. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §103

Claims 6-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,343,549 issued to Shizurou Tokiwa ("Tokiwa") in view of U.S. Patent 5,947,023 issued to Wolfgang Bohrer et al. ("Bohrer et al."). Applicant respectfully traverses and submits the cited art combinations, even if proper, which Applicant does not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

The Examiner stated in the section "Response of Arguments" of the above mentioned office action that the Bohrer reference is interpreted to disclose a plurality of devices 50 being associated to only one drive system as claimed in independent Claim 18. To this end, the Examiner cited that Bohrer discloses that this implementation constitutes a redundant design and therefore, each of the devices 50 can be associated with only one drive system as seen in Fig. 4. Applicant respectfully disagrees.

A person skilled in the art would not come to the Examiner's conclusion when reading and interpreting Bohrer. For example, Bohrer states that Fig. 4 shows a redundant

design with respect to two redundant networks. To this end, Bohrer particularly discloses that each printing station DS1, ..., DSn+4 has two interfaces 46 and 48 for connection of individual synchronization bus rings. See, Bohrer, Col. 7, lines 18-21. Bohrer further states that activated interfaces are shown in black. See, Bohrer, Col. 7, lines 25-27. Thus, redundancy is accomplished by two networks which both serve the same purpose. Hence, at best a person skilled in the art who wants to remove the redundancy would remove one network and one control unit 50. However, the fact that Bohrer teaches that one control unit 50 still serves all drive units remains. Nowhere in Bohrer can any statement be found that a functional unit 50 serves only a single drive unit. Bohrer discloses the exact opposite.

Therefore, if a person skilled in the art combines the teachings of Tokiwa and Bohrer, such a combination will not lead to a system as claimed in the independent claims in which a plurality of drive systems each comprises an associated control functional unit controlling only the drive system to which it is associated, with control computers associated to each drive system linked through a first control network and coupled with said control functional units to perform high level process control; and with a second independent network interconnecting said control functional units for real time cross-communication there between, whereby information relating to movement control from any one of said control functional units is simultaneously transmitted to all of the other of said control functional units.

Hence the independent Claims are not rendered obvious in view of the cited prior art. Applicants respectfully submit that the dependent Claims are allowable at least to the extent of the independent Claims to which they refer, respectively. Thus, Applicants respectfully request reconsideration and allowance of the dependent Claims. Applicants reserve the right to make further arguments regarding the Examiner's rejections under 35 U.S.C. §103(a), if necessary, and do not concede that the Examiner's proposed combinations are proper.

CONCLUSION


Applicant has made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of the pending claims.

Applicant encloses a Petition for Extension of Time for One month and authorizes the Commissioner to charge the amount of \$120.00 to Deposit Account No. 50-2148.

Applicant believes there are no other fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney, Andreas Grubert, at 512.322.2545.

Respectfully submitted,
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Date: 5/8/07

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